

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed April 10, 2003. In order to advance prosecution of this Application, Claims 1, 11, and 16 have been amended. Applicant respectfully requests reconsideration and favorable action in this case.

Claims 1, 2, 6-8, 10, and 11 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Hamdi in view of Telcordia. Independent Claims 1 and 11 recite ". . . and eliminate coupling of the Class 5 softswitch to the Internet protocol network . . ." By contrast, the Examiner readily admits that the Hamdi article fails to disclose a Class 5 softswitch. The Examiner supports the disclosure of a Class 5 softswitch through use of the Telcordia paper. However, the Telcordia paper discloses a Class 5 softswitch that requires coupling the Internet Protocol network for operation. Moreover, the Telcordia paper does not support establishing a call connection from the signaling information at a gateway as provided in the claimed invention. Support for the above recitation can be found at page 9, lines 17-33. Therefore, Applicant respectfully submits that Claims 1, 2, 6-8, 10, and 11 are patentably distinct from the proposed Hamdi - Telcordia combination.

Claims 3-5, 12-15, and 17-19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Hamdi in view of Telcordia and further in view of Smyk. Independent Claim 1, from which Claim 9 depends, has been shown above to be patentably distinct from the proposed Hamdi - Telcordia combination. Moreover, the Smyk patent does not include any additional disclosure combinable with the Hamdi article or Telcordia paper that would be material to patentability of these claims. Therefore, Applicant respectfully submits that

Claims 3-5, 12-15, and 17-19 are patentably distinct from the proposed Hamdi - Telcordia - Smyk combination.

Claim 9 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Hamdi in view of Telcordia and Smyk and further in view of Christie. Independent Claim 1, from which Claim 9 depends, has been shown above to be patentably distinct from the proposed Hamdi - Telcordia combination. Moreover, the Smyk and Christie patents do not include any additional disclosure combinable with the Hamdi article or Telcordia paper that would be material to patentability of these claims. Therefore, Applicant respectfully submits that Claim 9 is patentably distinct from the proposed Hamdi - Telcordia - Smyk - Christie combination.

The Examiner has failed to provide an examination and a patentability status of Claims 16 and 20. Applicant respectfully requests the Examiner to provide an examination of and indicate a patentability status of Claims 16 and 20.

CONCLUSION

Applicant has now made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicant respectfully requests full allowance of Claims 1-20.

The Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

Respectfully submitted,

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